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Letter dated 6 October 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

In my capacity as representative of the Current Chairman of the African Union, I have the honour to forward herewith the communiqué on Côte d'Ivoire issued by the 40th meeting of the Peace and Security Council of the African Union at the level of Heads of State and Government, held in Addis Ababa on 6 October 2005.

I should be grateful if the text of the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Aminu Bashir **Wali**
Ambassador
Permanent Representative of Nigeria to the United Nations
Representative of the Current Chairman of the African Union

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Annex to the letter dated 6 October 2005 from the Permanent Representative of Nigeria to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué of the 40th meeting of the Peace and Security Council

The Peace and Security Council (PSC) of the African Union (AU), at its 40th meeting, at the level of the Heads of State and Government, held on 6 October 2005, adopted the following decision on Côte d'Ivoire:

The Council,

1. **Reiterates** its concern at the persistence of the crisis and the deterioration of the situation in Côte d'Ivoire, which seriously threaten peace and stability in the West African region;

2. **Pays tribute** to the Economic Community of West African States (ECOWAS) and the leaders of the region for their constant efforts to promote peace and reconciliation in Côte d'Ivoire;

3. **Pays tribute** also to President Thabo Mbeki of South Africa for his untiring efforts in the service of peace and reconciliation in Côte d'Ivoire and reaffirms his role as AU Mediator, and **commends** him for the progress achieved in the implementation of the relevant provisions of the Linas-Marcoussis and Accra III Agreements, signed on 24 January 2003 and 30 July 2004, respectively;

4. **Reaffirms** the commitment of the AU to respect for the sovereignty, independence, territorial integrity and unity of Côte d'Ivoire, in conformity with the relevant principles enshrined in the Constitutive Act of the African Union, as well as the imperative need for the speedy reunification of Côte d'Ivoire;

5. **Underscores** the fact that the crisis in Côte d'Ivoire can be resolved only through dialogue and consultation, with the support of the international community. The Council **urges** the parties to show utmost restraint and refrain from any use of force and unilateral action, which can only further complicate the search for a solution;

6. **Reaffirms** that the Linas-Marcoussis, Accra III and Pretoria Agreements are the appropriate framework for the peaceful and lasting solution to the crisis in Côte d'Ivoire;

7. **Requests** the Government and all the other Ivorian parties to do their utmost to ensure the security of persons and property, including that of foreigners and of the peacekeeping forces;

8. **Takes note** of the report submitted by ECOWAS following the Extraordinary Summit of Heads of State and Government in Abuja, on 30 September 2005, and the recommendations adopted at that Summit, in accordance with the decision adopted by the 38th meeting of the PSC, in New York, on 14 September 2005;

9. **Notes** that significant progress has been achieved in the peace process in Côte d'Ivoire through the implementation of the Linas-Marcoussis, Accra III and Pretoria

Agreements and that additional measures are required to expedite the implementation of the outstanding issues, in particular the dismantling and disarmament of the militias, the DDR and the creation of conditions for holding free, fair and transparent elections, based on the road map to elections elaborated by the AU Mediator;

10. **Endorses** the observation of the ECOWAS Extraordinary Summit on the end of the mandate of President Laurent Gbagbo on 30 October 2005, and the impossibility, acknowledged by all Ivorian parties, of organizing presidential elections on the scheduled date. Consequently, the Council **decides** that the arrangements agreed upon in the Linas-Marcoussis Agreement shall continue from 31 October 2005 for a period not exceeding 12 months on the basis of the following modalities:

i. President Gbagbo shall remain Head of State during the above-mentioned period;

ii. A new Prime Minister acceptable to all the Ivorian parties signatories to the Linas-Marcoussis Agreement shall be appointed. The Government, which he will lead, shall be composed of personalities proposed by the Ivorian parties signatories to the Linas-Marcoussis Agreement;

iii. The Government shall continue to discharge the responsibilities and tasks assigned to it by the Linas-Marcoussis and Accra III Agreements. The Ministers shall be accountable to the Prime Minister, who shall have full authority over his cabinet;

iv. The Prime Minister shall not be eligible to stand for the elections to be organized, in accordance with the Linas-Marcoussis Agreement;

v. In order to assist the Government in the implementation of its programme and consolidate and strengthen the existing follow-up Mechanisms, an International Working Group (IWG) shall be established at the ministerial level, which shall meet once a month in Côte d'Ivoire to evaluate, monitor and follow up the peace process, including the road map agreed upon in Pretoria and any other subsequent agreements, by stating the degree of cooperation of the parties and other actors concerned, their respect for the commitments made and, if necessary, any attitude likely to hamper the successful conclusion of the peace and reconciliation process in Côte d'Ivoire, and make appropriate recommendations to the AU Peace and Security Council and to the United Nations Security Council. The IWG shall receive regular reports from the Mediation Group mentioned in paragraph 10 (viii) of this decision;

vi. The IWG shall be chaired by the Foreign Minister of Nigeria, in his capacity as representative of the Chair of the AU. The office of the Special Representative of the United Nations Secretary-General, the Special Representative of the Executive Secretary of ECOWAS in Côte d'Ivoire and the Special Representative of the Chairperson of the AU Commission in Côte d'Ivoire shall serve as secretariat. The secretariat shall be coordinated by the United Nations;

vii. The IWG shall be composed of the following: Benin, Ghana, Guinea, the Niger, Nigeria, South Africa, France, the United Kingdom, the United States of America, the United Nations, the African Union, ECOWAS, the European Union, the International Organization of la Francophonie, the World Bank and the International Monetary Fund;

viii. The day-to-day mediation shall be undertaken by the following representatives of the IWG: the Special Representative of the United Nations Secretary-General, the High Representative of the United Nations for elections in Côte d'Ivoire, the Special Envoy of South Africa, the Special Representative of the Executive Secretary of ECOWAS and the Special Representative of the Chairperson of the AU Commission in Côte d'Ivoire. The Mediation Group shall be chaired by the Special Envoy of South Africa, as representative of the AU Mediator;

11. **Decides** that the Ivorian parties shall be invited, as soon as possible, to a Forum for National Dialogue in Yamoussoukro. That meeting, which shall be opened to civil society, including the traditional leaders and the private sector, shall be co-chaired by President Olusegun Obasanjo of Nigeria and President Thabo Mbeki of South Africa;

12. **Reaffirms its support** to individual measures provided in paragraphs 9 and 11 of United Nations Security Council resolution 1572 (2004) of 15 November 2004 and subsequent resolutions relevant to the commitments made by the Ivorian parties, and **expresses satisfaction** at the envisaged visit to Côte d'Ivoire of the Chairman of the United Nations Security Council sanctions Committee;

13. **Affirms** its support to the United Nations Operation in Côte d'Ivoire (ONUCI) and **requests** the United Nations Security Council to provide ONUCI with all necessary means to enable it to effectively discharge its mandate and to further consider authorizing a substantial increase of its strength;

14. **Decides** to submit this decision to the United Nations Security Council to obtain its support and, to this end, **requests** the Chairperson of the Commission to take all the necessary steps;

15. **Decides** to dispatch a high-level delegation to Côte d'Ivoire comprising President Olusegun Obasanjo, Chairman of the AU, and President Thabo Mbeki, AU Mediator, to meet with President Gbagbo and other Ivorian parties with respect to the implementation of this decision;

16. **Decides** to remain seized of the matter.